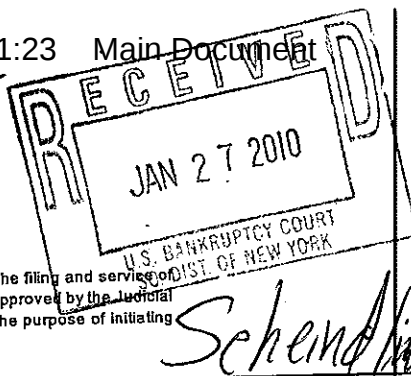


## CIVIL COVER SHEET

JS 44C/SDNY  
REV. 1/2008

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.



## PLAINTIFFS

Michigan Self-Insurers' Security Fund (Appellant)

## DEFENDANTS

DPH Holdings Corp., et al. (Reorganized Debtors) (Appellees)

## ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Dennis J. Raterink  
Michigan Dept of Attorney General  
PO Box 30736

Lansing, MI 48909: (517) 373-1176

## ATTORNEYS (IF KNOWN)

Skadden Arps Slate Meagher & Flom  
John W. Butler, Jr.; John K. Lyons  
155 N Wacker Dr, Ste 2700  
Chicago, IL 60606: (312) 407-0700

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Appeal as of right under 28 U.S.C. 158(a)(1) from bankruptcy court order denying motion to file late claim.

Has this or a similar case been previously filed in SDNY at any time? No? ☒ Yes? ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

(PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

## ACTIONS UNDER STATUTES

TORTS		PERSONAL INJURY		FORFEITURE/PENALTY		BANKRUPTCY		OTHER STATUTES	
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 362 PERSONAL INJURY - MED MALPRACTICE	<input type="checkbox"/> 610 AGRICULTURE	<input checked="" type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 400 STATE REAPPORTIONMENT				
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT LIABILITY	<input type="checkbox"/> 365 PERSONAL INJURY PRODUCT LIABILITY	<input type="checkbox"/> 620 OTHER FOOD & DRUG	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 410 ANTI-TRUST				
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> 320 ASSAULT, LIBEL & SLANDER	<input type="checkbox"/> 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	<input type="checkbox"/> 625 DRUG RELATED SEIZURE OF PROPERTY	<input type="checkbox"/> 430 BANKS & BANKING	<input type="checkbox"/> 450 COMMERCE				
<input type="checkbox"/> 140 NEGOTIABLE INSTRUMENT	<input type="checkbox"/> 330 FEDERAL EMPLOYERS' LIABILITY	<input type="checkbox"/> 630 LIQUOR LAWS	<input type="checkbox"/> 630 LIQUOR LAWS	<input type="checkbox"/> 460 DEPORTATION	<input type="checkbox"/> 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)				
<input type="checkbox"/> 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	<input type="checkbox"/> 340 MARINE	<input type="checkbox"/> 640 RR & TRUCK	<input type="checkbox"/> 640 RR & TRUCK	<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> 480 CONSUMER CREDIT				
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 345 MARINE PRODUCT LIABILITY	<input type="checkbox"/> 650 AIRLINE REGS	<input type="checkbox"/> 650 AIRLINE REGS	<input type="checkbox"/> 830 PATENT	<input type="checkbox"/> 490 CABLE/SATELLITE TV				
<input type="checkbox"/> 152 RECOVERY OF DEFAULTED STUDENT LOANS (EXCL VETERANS)	<input type="checkbox"/> 350 MOTOR VEHICLE	<input type="checkbox"/> 660 OCCUPATIONAL SAFETY/HEALTH	<input type="checkbox"/> 660 OCCUPATIONAL SAFETY/HEALTH	<input type="checkbox"/> 840 TRADEMARK	<input type="checkbox"/> 810 SELECTIVE SERVICE				
<input type="checkbox"/> 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	<input type="checkbox"/> 355 MOTOR VEHICLE PRODUCT LIABILITY	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 850 SOCIAL SECURITY	<input type="checkbox"/> 850 SECURITIES/COMMODITIES/EXCHANGE				
<input type="checkbox"/> 160 STOCKHOLDERS SUITS	<input type="checkbox"/> 360 OTHER PERSONAL INJURY	<input type="checkbox"/> 710 FAIR LABOR STANDARDS ACT	<input type="checkbox"/> 710 FAIR LABOR STANDARDS ACT	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 875 CUSTOMER CHALLENGE				
<input type="checkbox"/> 180 OTHER CONTRACT	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 720 LABOR/MGMT RELATIONS	<input type="checkbox"/> 720 LABOR/MGMT RELATIONS	<input type="checkbox"/> 862 BLACK LUNG (923)	<input type="checkbox"/> 890 OTHER STATUTORY ACTIONS				
<input type="checkbox"/> 195 CONTRACT PRODUCT LIABILITY	<input type="checkbox"/> 371 TRUTH IN LENDING	<input type="checkbox"/> 730 LABOR/MGMT REPORTING & DISCLOSURE ACT	<input type="checkbox"/> 730 LABOR/MGMT REPORTING & DISCLOSURE ACT	<input type="checkbox"/> 863 DIWC/DWW (405(g))	<input type="checkbox"/> 891 AGRICULTURAL ACTS				
<input type="checkbox"/> 196 FRANCHISE	<input type="checkbox"/> 380 OTHER PERSONAL INJURY	<input type="checkbox"/> 740 RAILWAY LABOR ACT	<input type="checkbox"/> 740 RAILWAY LABOR ACT	<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> 892 ECONOMIC STABILIZATION ACT				
	<input type="checkbox"/> 385 OTHER PERSONAL INJURY	<input type="checkbox"/> 790 OTHER LABOR LITIGATION	<input type="checkbox"/> 790 OTHER LABOR LITIGATION	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 893 ENVIRONMENTAL MATTERS				
	<input type="checkbox"/> 395 OTHER PERSONAL INJURY	<input type="checkbox"/> 791 EMPL RET INC SECURITY ACT	<input type="checkbox"/> 791 EMPL RET INC SECURITY ACT	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 894 ENERGY ALLOCATION ACT				
	<input type="checkbox"/> 400 OTHER PERSONAL INJURY			<input type="checkbox"/> 871 IRS-THIRD PARTY	<input type="checkbox"/> 895 FREEDOM OF INFORMATION ACT				
	<input type="checkbox"/> 410 OTHER PERSONAL INJURY			<input type="checkbox"/> 872 IRS-THIRD PARTY	<input type="checkbox"/> 900 APPEAL OF FEE DETERMINATION UNDER EQUAL ACCESS TO JUSTICE				
	<input type="checkbox"/> 420 OTHER PERSONAL INJURY			<input type="checkbox"/> 873 IRS-THIRD PARTY	<input type="checkbox"/> 950 CONSTITUTIONALITY OF STATE STATUTES				
	<input type="checkbox"/> 430 OTHER PERSONAL INJURY			<input type="checkbox"/> 874 IRS-THIRD PARTY					
	<input type="checkbox"/> 440 OTHER PERSONAL INJURY			<input type="checkbox"/> 875 IRS-THIRD PARTY					
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	<input type="checkbox"/> 460 OTHER PERSONAL INJURY			<input type="checkbox"/> 877 IRS-THIRD PARTY					
	<input type="checkbox"/> 470 OTHER PERSONAL INJURY			<input type="checkbox"/> 878 IRS-THIRD PARTY					
	<input type="checkbox"/> 480 OTHER PERSONAL INJURY			<input type="checkbox"/> 879 IRS-THIRD PARTY					
	<input type="checkbox"/> 490 OTHER PERSONAL INJURY			<input type="checkbox"/> 880 IRS-THIRD PARTY					
	<input type="checkbox"/> 500 OTHER PERSONAL INJURY			<input type="checkbox"/> 881 IRS-THIRD PARTY					
	<input type="checkbox"/> 510 OTHER PERSONAL INJURY			<input type="checkbox"/> 882 IRS-THIRD PARTY					
	<input type="checkbox"/> 520 OTHER PERSONAL INJURY			<input type="checkbox"/> 883 IRS-THIRD PARTY					
	<input type="checkbox"/> 530 OTHER PERSONAL INJURY			<input type="checkbox"/> 884 IRS-THIRD PARTY					
	<input type="checkbox"/> 540 OTHER PERSONAL INJURY			<input type="checkbox"/> 885 IRS-THIRD PARTY					
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	<input type="checkbox"/> 560 OTHER PERSONAL INJURY			<input type="checkbox"/> 887 IRS-THIRD PARTY					
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	<input type="checkbox"/> 580 OTHER PERSONAL INJURY			<input type="checkbox"/> 889 IRS-THIRD PARTY					
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	<input type="checkbox"/> 690 OTHER PERSONAL INJURY			<input type="checkbox"/> 900 IRS-THIRD PARTY					
	<input type="checkbox"/> 700 OTHER PERSONAL INJURY			<input type="checkbox"/> 901 IRS-THIRD PARTY					
	<input type="checkbox"/> 710 OTHER PERSONAL INJURY			<input type="checkbox"/> 902 IRS-THIRD PARTY					
	<input type="checkbox"/> 720 OTHER PERSONAL INJURY			<input type="checkbox"/> 903 IRS-THIRD PARTY					
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	<input type="checkbox"/> 740 OTHER PERSONAL INJURY			<input type="checkbox"/> 905 IRS-THIRD PARTY					
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	<input type="checkbox"/> 780 OTHER PERSONAL INJURY			<input type="checkbox"/> 909 IRS-THIRD PARTY					
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	<input type="checkbox"/> 980 OTHER PERSONAL INJURY			<input type="checkbox"/> 929 IRS-THIRD PARTY					
	<input type="checkbox"/> 990 OTHER PERSONAL INJURY			<input type="checkbox"/> 930 IRS-THIRD PARTY					

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding ☐ 2a. Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ 2b. Removed from State Court AND at least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

IF DIVERSITY, INDICATE  
CITIZENSHIP BELOW.  
(28 USC 1322, 1441)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	[ ]	[ ]	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	[ ]	[ ]	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	[ ]	[ ]
CITIZEN OF ANOTHER STATE	[ ]	[ ]	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ]	[ ]	FOREIGN NATION	[ ]	[ ]

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO:  
(DO NOT check either box if this a PRISONER PETITION.)

☐ WHITE PLAINS ☒ MANHATTAN

DATE 1/11/2010 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

*Dennis H. Hatten*

ADMITTED TO PRACTICE IN THIS DISTRICT

[X] NO

[ ] YES (DATE ADMITTED Mo. \_\_\_\_ Yr. \_\_\_\_)

Attorney Bar Code #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

J. Michael McMahon, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_